

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-11 and 13-18 are currently pending, Claims 1, 2, 13, and 15 having been amended, and Claims 16-18 having been added for consideration. The changes and additions to the claims do not add new matter and are supported by the originally filed specification, for example on page 8, lines 22-29; and original Claims 1-11 and 13-15.

In the outstanding Office Action, Claims 1-11 and 13-15 were rejected under 35 U.S.C. § 102(e) as being anticipated by Solomon et al. (U.S. Patent No. 7,127,066, hereinafter “Solomon”).

With respect to the rejection of Claim 1 under 35 U.S.C. § 102(e), Applicants respectfully traverse this ground of rejection. Claim 1 which has been amended for clarifying purposes, recites, *inter alia*,

determining whether an optical data medium inserted into a drive of the computer is the target optical data medium or a non-target optical data medium, and

when the inserted optical data medium is the target optical data medium,

modifying write commands in respect to the data within the protected data areas to a recordable data medium or other storage so that the written data is modified to be useless.

Applicants submit that Solomon fails to disclose or suggest at least these features of amended Claim 1.

Solomon describes a limited-use Digital Versatile Disc (DVD) which includes a storage layer for storing content data and control key data. (See Solomon, Abstract).

Solomon further describes the DVD including at least one mark of photosensitive dye disposed on the disc exterior such that the mark is initially transparent to allow a standard

DVD player to read the control data and the mark changes from clear to opaque when it is exposed to a standard DVD reader's laser light for a cumulative period of time. (See Solomon, Abstract).

The Office Action appears to assert that the DVD including the photosensitive dye of Solomon corresponds to "determining whether an optical data medium inserted into a drive of the computer is the target optical data medium or a non-target optical data medium, and when the inserted optical data medium is the target optical data medium, modifying read requests to the protected data areas so that either no data is read or the read data is modified to be useless, and/or modifying write commands in respect to the data within the protected data areas to a recordable data medium or other storage so that the written data is modified to be useless," as recited in previously presented Claim 1. (See Office Action, pages 3-4).

Solomon describes the DVD disc as being fully compliant with the DVD-video specification published by the DVD Forum. (See Solomon, column 4, lines 52-55). Solomon describes the mark of photosensitive dye on the DVD being initially clear to allow data to be read by the standard DVD but changes to opaque when further exposed to the laser light of the standard DVD reader after a predetermined number of readings. (See Solomon, column 5, lines 30-36). Solomon further describes that when the mark of photosensitive dye turns opaque, the mark prevents the standard DVD reader from further reading and hence playback of protected content data. (See Solomon, column 5, lines 10-15).

However, Solomon merely describes a standard DVD reader **reading** from a DVD disc which includes a photosensitive dye that changes upon being irradiated with the standard laser light from the standard DVD reader. In addition, Solomon simply describes the standard DVD reader performing standard operations to read the inserted DVD when the photosensitive dye is transparent. Solomon does not explicitly describe the standard DVD reader determining whether the DVD inserted is a target DVD or a non-target DVD.

Further, Solomon merely describes the opaque photosensitive dye preventing the standard DVD reader from reading content data. However, Solomon does not describe the standard DVD reader *modifying write commands* in respect to the data within a protected area on the DVD so that the written data is modified to be useless when it is determined that a target DVD is inserted.

Therefore, Solomon does not disclose or suggest “*determining whether an optical data medium inserted into a drive of the computer is the target optical data medium or a non-target optical data medium*, and when the inserted optical data medium is the target optical data medium, *modifying write commands in respect to the data within the protected data areas to a recordable data medium or other storage so that the written data is modified to be useless*,” as recited in amended Claim 1.


Accordingly, Applicants respectfully submit that amended Claim 1 (and all associated dependent claims) patentably distinguishes over Solomon.

Additionally, amended independent Claims 13 and 14 recite features similar to that of amended Claim 1 discussed above. Thus, Applicants respectfully submit that amended independent Claims 13 and 14 patentably distinguish over Solomon.

Consequently, in light of the above discussion and in view of the present amendment, the outstanding grounds for rejection are believed to have been overcome. The present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

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